

Docket No. VTN0577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Scott Frederick Ansell
 Appn. No. : 10/074,132
 Filed : February 12, 2002
 Title : MOLDS FOR FORMING A CONTACT LENSE AND METHOD OF PREVENTING FORMATION OF SMALL STRANDS OF CONTACT LENS MATERIAL DURING CONTACT LENS MANUFACTURE

Art Unit : 1722
 Examiner : Donald H. Heckenberg, Jr.

I hereby certify that this correspondence is facsimile transmitted to the United States Patent and Trademark Office via telefax (571) 273-8300 on:

October 26, 2005
 (Date of Deposit)

Linda Long
 (Name of applicant, assignee, or Registered Representative)



October 26, 2005
 (Date of Signature)

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OCT 27 2005

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith please find a Petition to Revive, Request for Continued Examination, Amendment dated June 8, 2004 and copy of Notice of Abandonment for your review.

Applicant requests to change the attorney of record to Joseph Kincart, One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933-7003, telephone: 904-443-3731 and direct all future correspondence to my attention.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/VTN0577/JP

Respectfully submitted,

By: 
 Joseph P. Kincart
 Reg. No. 43,716

Johnson & Johnson
 One Johnson & Johnson Plaza
 New Brunswick, NJ 08933-7003
 (904) 443-3731
 Dated: October 26, 2005

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CORPORATE HEADQUARTERS
PATENT LAW DEPARTMENT
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NEW JERSEY 08933

FACSIMILE TRANSMISSION COVER SHEET

TO: Examiner: Donald H. Heckenberg, Jr.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PTO FACSIMILE NUMBER: (371) 273-8300

FROM: Joseph P. Kincart
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
Tel: (904) 443-3074

J&J FACSIMILE NUMBER: (732) 524-2808

DATE: October 26, 2005

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 17

COMMENTS: Re: U.S. Serial No.: 10/074,132
J&J Docket No.: VTN0577

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL
LINDA LONG (904) 443-1159

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T-720 P.003 F-526

OCT 26 2005

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
VTN057

First named inventor: Scott Frederick Ansell

Application No.: 10/074,132

Art Unit: 1722

Filed: February 12, 2002

Examiner: Donald Heckenberg

Title: MOLD FOR FORMING A CONTACT LENSE AND METHOD OF PREVENTING FORMATION OF SMALL STRANDS OF CONTACT LENS MATERIAL DURING CONTACT LENS MANUFACTURE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

Please charge Johnson & Johnson Deposit Account No. 10-0750/VTN0577/JPK in the amount of \$1500.00 for submission of the RCE pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/VTN0577/JPK.

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of REQUEST FOR CONTINUED EXAMINATION (identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

has been paid previously on _____
 is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

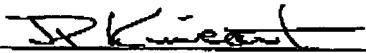
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

October 26, 2005

Date

Joseph P. Kincart

Typed or printed name

43,716

Registration Number, if applicable

Johnson & Johnson, One Johnson & Johnson Plaza

Address

904-443-3731

Telephone Number

New Brunswick, New Jersey 08933-7003

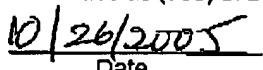
Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Notice of Abandonment, Request for Continued Examination, Amendment

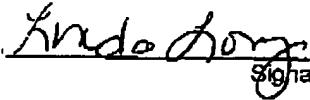
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.



Date



Signature

Linda Long

Typed or printed name of person signing certificate

PTO/SB/03 (08-00)

Approved for use through 10/31/20 2 DMB 0551-0031
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**REQUEST
FOR
CONTINUED EXAMINATION
(RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|-------------------------------|------------------------|
| <i>Application Number</i> | 10/074,132 |
| <i>Filing Date</i> | February 11, 2002 |
| <i>First Named Inventor</i> | Scott Frederick Ansell |
| <i>Group Art Unit</i> | 1722 |
| <i>Examiner Name</i> | Donald Hakenberg |
| <i>Attorney Docket Number</i> | VTN0577 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/20) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50082 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 8, 2004 June 14, 2004 (any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. Other

3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0750.
 - i. RCE fee is required under 37 C.F.R. § 1.17(e)
 - ii. Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other
- b. Check in the amount of \$_____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|------------------|---------------------------|
| Name (print/type) | Joseph P. Kigcart | Registration No. | 43,718 |
| Signature |  | Date | 10/26/05 October 26, 2005 |

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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on: October 21, 2005

| | | | |
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| Name (print/type) | Linda Long | Date | October 26, 2005 |
| Signature |  | | |



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Scott Frederick Ansell, et al.

Confirmation No.: 8163

Application No.: 10/974,132 *10/074,132*

Group Art Unit: 1722

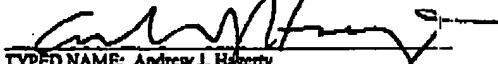
Filing Date: February 12, 2002

Examiner: Donald H. Heckenberg, Jr.

For: Mold For Forming A Contact Lens And Method Of Preventing Formation Of
Small Strands Of Contact Lens Material During Contact Lens Manufacture

DATE OF DEPOSIT: June 8, 2004

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 TYPED NAME: Andrew J. Hegerty
 REGISTRATION NO.: 44,141

MS Amendment MS AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- A Preliminary Amendment.
- An Amendment Responsive to the Office Action Dated March 16, 2004.
- An Amendment Supplemental to the Paper filed
- A Substitute Specification (pages 1 -) in clean form.
- A substitute specification (pages 1 -) with markings.
- An Abstract is enclosed.
- replacement sheets of drawings are enclosed comprising figures
- Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.

06/15/2004 JAD001 00000029 10974132

01 FC:1201

86.00 0P

DOCKET NO.: VTN-0577 (VIST-0063)**PATENT**

- Petition is hereby made to accept drawing(s)/photograph(s) in this case.
- Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- An amendment to the first paragraph in that portion of the Brief Description or the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- A Certified Copy of each of the following applications: is enclosed.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement.
 - Attached Form 1449.
 - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- A Terminal Disclaimer is attached.
- Appendices as follows:
- Other
- No Additional Fee is Due.
- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

DOCKET NO.: VTN-0577 (VIST-0063)

PATENT

| | REMAINING AFTER AMENDMENT | HIGHEST PAID FOR | EXTRA | SMALL ENTITY | NOT SMALL ENTITY |
|--|---------------------------------|---------------------|-------|--------------|-------------------|
| TOTAL CLAIMS | 13 | 30 (20 MINIMUM) | 0 | \$9 EACH | \$18 EACH \$0 |
| INDEP. CLAIMS | 4 | 3 (3 MINIMUM) | 1 | \$43 EACH | \$86 EACH \$86.00 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT | | | | | |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | | | | \$55 | \$110 \$0 |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | | | | \$210 | \$420 \$0 |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME | | | | \$475 | \$950 \$0 |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME | | | | \$740 | \$1480 \$0 |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME | | | | \$1005 | \$2010 \$0 |
| <input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID | | | | minus (\$) | minus (\$0) |
| <input type="checkbox"/> TERMINAL DISCLAIMER | | | | \$55 | \$110 \$0 |
| <input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS: | | | | | |
| TOTAL FEE DUE | | | | \$ | \$86.00 |

- A check in the amount of \$86.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- Please charge Deposit Account No. 23-3050 in the amount of .00. This sheet is attached in duplicate.
- Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

DOCKET NO.: VTN-0577 (VIST-0063)

PATENT

- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: June 8, 2004



Andrew J. Hagerty
Registration No. 44,141

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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DOCKET NO.: VTN-0577 (VIST-0063)
Application No.: 10/074,132
Office Action Dated: March 16, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Scott Frederick Ansell, et al.

Confirmation No.: 3163

Application No.: 10/074,132

Group Art Unit: 1722

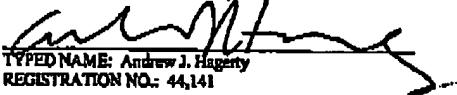
Filing Date: February 12, 2002

Examiner: Donald H. Heckenberg, Jr.

For: Mold For Forming A Contact Lens and Method Of Preventing Formation Of
Small Strands Of Contact Lens Material During Contact Lens Manufacture

DATE OF DEPOSIT: June 8, 2004

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TYPED NAME: Andrew J. Hagerty
REGISTRATION NO.: 44,141

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Do Not
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D.H. 6-24-04

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated March 16, 2004, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- Amendments to the Specification begin on page _____ of this paper.
- Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.
- Amendments to the Drawings begin on page _____ of this paper and include an attached replacement sheet.
- Remarks begin on page 5 of this paper.

Page 1 of 5



DOCKET NO.: VTN—0577 (VIST-0063)
 Application No.: 10/074,132
 Office Action Dated: March 16, 2004

PATENT
 REPLY FILED UNDER EXPEDITED
 PROCEDURE PURSUANT TO
 37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Scott Frederick Ansell, et al.

Application No.: 10/074,132

Filing Date: February 12, 2002

For: **Mold For Forming A Contact Lens and Method Of Preventing Formation Of Small Strands Of Contact Lens Material During Contact Lens Manufacture**

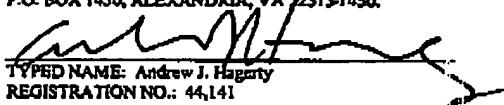
Confirmation No.: 8163

Group Art Unit: 1722

Examiner: Donald H. Heckenberg, Jr.

DATE OF DEPOSIT: June 8, 2004

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 TYPED NAME: Andrew J. Hagerty
 REGISTRATION NO.: 44,141

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated March 16, 2004, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- Amendments to the Specification begin on page _____ of this paper.
- Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.
- Amendments to the Drawings begin on page _____ of this paper and include an attached replacement sheet.
- Remarks begin on page 5 of this paper.

Page 1 of 5

DOCKET NO.: VTN—0577 (VIST-0063)
Application No.: 10/074,132
Office Action Dated: March 16, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. – 50. Canceled.

51. (New) A mold for forming a contact lens from a reactive mixture, the mold comprising:

a) a first mold portion comprising a concave optical surface, an edge, a first flange extending from the edge, and a depression disposed in or protrusion extending from the first flange;

b) a second mold portion comprising a convex surface and a second flange opposing the first flange;

c) a reactive mixture overflow collector created between the first flange and the second flange when the second mold portion contacts the edge of the first mold portion, the reactive mixture overflow collector defined by:

i) a first closed side extending from the edge along the first flange and including a surface of the depression or protrusion exposed to reactive mixture overflow;

ii) a second closed side extending from the edge to the second flange, and along a portion of the second flange opposing the depression or protrusion; and

iii) an open side situated between the first and second closed sides that is open to an ambient or inert environment,

wherein the second closed side has a surface area for contacting reactive mixture overflow that is greater than or equal to that of the first closed side.

52. (New) The mold of claim 51, wherein the depression or protrusion is located about 1.0 mm to about 1.5 mm from the edge.

53. (New) The mold of claim 51, wherein the depression or protrusion comprises a protrusion that has a triangular cross-sectional shape.

DOCKET NO.: VTN-0577 (VIST-0063)
Application No.: 10/074,132
Office Action Dated: March 16, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.11(e)

54. (New) The mold of claim 51, wherein the depression or protrusion comprises a protrusion having a height of from about 0.3 mm to about 0.4 mm.

55. (New) The mold of claim 51, wherein at least one of the first closed side and the second closed side of the reactive mixture overflow collector includes a surfactant.

56. (New) A mold for forming a contact lens from a reactive mixture, the mold comprising:

- a) a first mold portion comprising a concave optical surface, a circumferentially extending edge, and a first flange extending radially outward from the edge;
- b) a second mold portion comprising a convex surface and a radially extending second flange that opposes the first flange;
- c) a protrusion extending from the first flange and being located about 1.0 mm to about 1.5 mm from the edge.

57. (New) The mold of claim 56, wherein the protrusion is located about 1.2 mm from the edge.

58. (New) The mold of claim 56, wherein the protrusion has a height of from about 0.3 mm to about 0.4 mm.

59. (New) The mold of claim 56, wherein the protrusion is tapered in a direction away from the first flange.

60. (New) The mold of claim 56, wherein the protrusion is not present around the entire circumference of the first flange.

61. (New) A mold for forming a contact lens from a reactive mixture, the mold comprising:

- a) a first mold portion comprising a concave optical surface, a circumferentially extending edge, and a first flange extending radially outward from the edge;

DOCKET NO.: VTN—0577 (VIST-0063)
Application No.: 10/074,132
Office Action Dated: March 16, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

- b) a second mold portion comprising a convex surface and a radially extending second flange that opposes the first flange;
- c) a protrusion extending from one of the first flange and the second flange which meets or nearly meets the other of the first flange and the second flange, such that overflow reactive mixture is substantially inhibited from flowing beyond the protrusion.

62. (New) The mold of claim 61, wherein the protrusion meets the other of the first flange and the second flange.

63. (New) A mold for forming a contact lens from a reactive mixture, the mold comprising:

- a) a first mold portion comprising a concave optical surface, a circumferentially extending edge, and a first flange extending from the edge; and
- b) a second mold portion comprising a convex surface and a second flange extending from the convex surface that opposes the first flange;
- wherein at least one of the first flange and the second flange comprises a depression or a protrusion such that overflow reactive mixture is inhibited from freely spreading on the first and second flanges, and wherein the depression or protrusion is not present along the entire circumference of the at least one of the first flange and the second flange.

DOCKET NO.: VTN-0577 (VIST-0063)
Application No.: 10/074,132
Office Action Dated: March 16, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

The undersigned representative would first like to thank the examiner for the courteous and helpful interview (telephonic) that took place on May 28, 2004.

All of the previously pending claims 1-50 have been canceled. Claims 51-63 are newly presented, of which independent claims 51, 56 and 61 were briefly discussed during the May 28 interview. Support for these new claims is found throughout the as-filed specification including, for example, page 7, line 23 to page 8, line 9 for claim 51; page 8, lines 3-4 for claim 56; and page 9, line 22 to page 10, line 11 for claim 61.

Independent claim 63 was not discussed during the May 28 interview. Claim 63 is directed to a mold embodiment wherein a depression or protrusion associated with one or more mold portion flanges is not present along the entire circumference of the flanges. Such a mold embodiment is described, for example, on page 6, lines 16-18 and page 8, lines 23-25.

New claims 51-63 are believed to be in condition for allowance. Applicants request confirmation of the same.

Date: June 8, 2004



Andrew J. Haggerty
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|------------------------|---|---|
| 10074.132 | 02/12/2002 | Scott Frederick Ansell | VTA-0577 | 9163 |
| 27777 | 7540 | 01-11/2005 | <div style="border: 1px solid black; display: inline-block; width: 150px; height: 15px; vertical-align: middle;"></div> EXAMINER <div style="border: 1px solid black; display: inline-block; width: 150px; height: 15px; vertical-align: middle;"></div> HECKENBERG JR, DONALD H | |
| | | | <div style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; vertical-align: middle;"></div> ART UNIT <div style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; vertical-align: middle;"></div> 1722 | <div style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; vertical-align: middle;"></div> PAPER NUMBER <div style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; vertical-align: middle;"></div> |
| DATE MAILED: 01/11/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|-------------------------------|---------------------|--|
| Notice of Abandonment | Application No. | Applicant(s) | |
| | 10/074,132 | ANSELL ET AL | |
| | Examiner Donald Heckenberg | Art Unit 1722 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 13 March 2004.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission date of _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

[Signature] 1-10-04
Donald Heckenberg
AU 1722

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.